

REMARKS

I. Status of the Application

Claims 1-16 are pending in this application. In the March 21, 2007 office action, the Examiner:

- A. Objected to the specification and abstract for informalities;
- B. Objected to claims 7-15 under 37 C.F.R. 1.75(c) as being in improper multiple dependent form;
- C. Allowed claim 16;
- D. Rejected claim 1 under 35 U.S.C. § 102(n) as allegedly being anticipated by U.S. Patent No. 6,124,757 to Newey (hereinafter "Newey"); and
- E. Deemed claims 2-6 allowable if rewritten in independent format.

In this Response, applicant gratefully acknowledges the indication of allowable subject matter. In this amendment, applicant has canceled claims 1-16, without prejudice, and have added new claims 17-36. Applicant has further amended the specification and abstract to bring those items in line with U.S. Patent application format. For reasons that will be discussed below in detail, it is respectfully submitted that the application is in a condition for allowance.

II. The Specification

The Examiner objected to the specification because the paragraph at page 3, lines 34-38 referenced the claims. The specification has been amended to delete that paragraph. In

addition, subject headings have been added. These amendments were presented in a Preliminary Amendment which was filed on May 27, 2005, but appears to have been lost and has not been entered.

In any event, the amendments to the specification are presented now, and do not include new matter. It is respectfully submitted that objections to the specification are moot in view of the amendments.

III. The Abstract

The Examiner objected to the abstract as having two paragraphs. Applicants have amended the abstract to eliminate the second paragraph. It is respectfully submitted that objections to the abstract are moot in view of the amendments.

IV. New Claim 17 is Allowable

New claim 17 is directed to a method that is similar in scope to claim 2 as originally filed. Claim 2 has been deemed allowable by the Examiner. (See March 21, 2007 office action at p. 4. Accordingly, because claim 17 contains substantially the same elements (although not identical) to claim 2, including elements not taught or suggested by the cited art, it is respectfully submitted that new claim 17 is allowable over the cited art of record.

V. Claims 18-31

Claims 18-31 all depend from claim 17 and are therefore allowable for at least the same reasons.

VI. Claim 32

New claim 32 is directed to an apparatus that is similar to claim 16 as originally filed.

Claim 16 has been allowed.

One notable difference between new claim 32 and original claim 16 is that claim 32 lacks anything corresponding to “a control device (28) for producing a controlled variable (29) from the amplifier deviation (27)”. In original claim 16, the “variable-frequency device (30) [produced] the variable-frequency system clock (18) from the controlled variable (29)”.

Although new claim 32 does not recite a “control device” as claimed, claim 32 does recite that the “variable-frequency device [is] configured to produce the variable-frequency system clock based on the amplifier deviation”. As a consequence, the results of claims 16 and 32 are the same, namely that the variable-frequency system clock is based on the amplifier deviation.

It is respectfully submitted that otherwise, new claim 32 corresponds substantially closely to claim 16. The Examiner deemed claim 16 allowable because “the prior art of record fails to disclose the two pulse width modulators connected in the manner claimed”. Because claim 32 also claims two pulse width modulators connected as recited in claim 16, it is respectfully submitted that claim 32 is in a condition for allowance.

VII. Claims 33-36

Claims 33-36 all depend from claim 32 and are therefore allowable for at least the same reasons.


VIII. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicant has made a patentable contribution to the art. Favorable reconsideration and allowance of this application is therefore respectfully requested.

In the event applicant has inadvertently overlooked the need for an extension of time or payment of an additional fee, the applicant conditionally petitions therefore, and authorizes any fee deficiency to be charged to deposit account 13-0014.

June 21, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. C. Moore', with a large, sweeping initial 'H'.

Harold C. Moore
Attorney for Applicants
Attorney Registration No. 37,892
Maginot Moore & Beck
Chase Tower
111 Monument Circle, Suite 3250
Indianapolis, Indiana 46204-5109
Telephone: (317) 638-2922